

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

United States of America,

Plaintiff,

and

The Northern Cheyenne Tribe,

Plaintiff-Intervenor,

v.

PPL Montana, LLC, NorthWestern
Corporation, d/b/a NorthWestern Energy,
Puget Sound Energy, Inc., Portland General
Electric Company, Avista Corporation, and
PacifiCorp,

Defendants.

Civil Action No. 1:07-cv-0040
(RFC/CSO)

STIPULATED MOTION TO TERMINATE CONSENT DECREE

WHEREAS, the Consent Decree in this action was entered by this Court on May 14, 2007 concerning Units 3 and 4 of the Colstrip Power Plant in Colstrip, Montana;

WHEREAS, PPL Montana, LLC, on behalf of the owners and operator of Units 3 and 4, has certified that Defendants have successfully completed construction, and are maintaining operations of all pollution controls as required by the Consent Decree; and Defendants have obtained final Title V permits and any

necessary federally-enforceable state permits (i) as required by the terms of the Consent Decree; (ii) that cover all units in the Consent Decree; and (iii) that include as enforceable permit terms all of the unit performance and other requirements specified in Section XIV (Permits) of the Consent Decree.

IT IS HEREBY STIPULATED AND AGREED, by and among the Defendants and the United States through their undersigned counsel, subject to this Court's approval, that the Consent Decree should be terminated. The Defendants are authorized by counsel for the Northern Cheyenne Tribe to advise this Court that the Tribe does not object to termination of the Consent Decree.

IT IS SO STIPULATED.

Dated: December 23, 2014

Respectfully submitted,

Sam Hirsch
Acting Assistant Attorney General
Environment and Natural Resources
Division



Jerel ("Jerry") L. Ellington

*ATTORNEYS FOR THE UNITED STATES
OF AMERICA*
999 18th Street, South Terr., Ste 370
Denver CO 80202
303-844-1363
Email: jerry.l.ellington@usdoj.gov



William M. Bumpers

Baker Botts LLP
1299 Pennsylvania Ave., NW
Washington, D.C. 20004
T: 202-639-7700
F: 202-585-4008
Email: william.bumpers@bakerbotts.com

ATTORNEYS FOR DEFENDANTS
PPL Montana, LLC, NorthWestern
Corporation, d/b/a NorthWestern Energy,
Puget Sound Energy, Inc., Portland General
Electric Company, Avista Corporation, and
PacifiCorp

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Montana by using the CM/ECF System on December 23, 2014.

I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF System.

DATED: December 23, 2014

/s/ Jerry Ellington

Attorney for Plaintiff
United States